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10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 TERESA GUH, individually, as a
14 Successor in Interest and as a Personal
15 Representative of the Estates of JYH JEI
16 GUH, deceased, YA KUANG GUH JIN,
17 deceased and PO WEN GUH, deceased;
18 SINYEE ISABELLE GUH, individually,
as a Successor in Interest and as a
Personal Representative of the Estates of
19 JYH JEI GUH, deceased, YA KUANG
GUH JIN, deceased and PO WEN GUH,
deceased;

} CASE NO. C 05-03290 JW
The Honorable James Ware
**STIPULATION FOR AND
ORDER OF DISMISSAL WITH
PREJUDICE**

This Document Relates To:
ALL PARTIES

19 Plaintiffs,

20 v.

21 CHINA AIRLINES, LTD. and THE
22 BOEING COMPANY,

23 Defendants.

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STIPULATION

2 PURSUANT TO RULE 41(a)(1), IT IS HEREBY STIPULATED AND
3 AGREED that any and all claims of the Plaintiffs against all Defendants in *Guh, et*
4 *al. v. China Airlines, Ltd., and The Boeing Company*, case number C 05-03290 JW
5 are hereby dismissed with prejudice. It is further stipulated that Plaintiffs' claims
6 against Defendants have been fully resolved pursuant to a settlement. The effect of
7 this Stipulation is to dismiss the action against China Airlines, Ltd. and The Boeing
8 Company with prejudice.

9 **IT IS FURTHER STIPULATED AND AGREED** that each of the parties
10 to this Stipulation shall bear and pay all costs and expenses and attorneys' fees
11 heretofore incurred or to be incurred by each respectively in connection with said
12 action.

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14 | Dated: October ___, 2006

Respectfully submitted,

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Dated: October 23, 2006

**Frank A. Silane
CONDON & FORSYTH LLP
1901 Avenue of the Stars, Suite 850
Los Angeles, CA 90067**

By:

~~By:~~ Frank A. Silane
Attorneys for Defendant,
CHINA AIRLINES, LTD.

1 Dated: October 13, 2006

Ronald A. McIntire
Melora M. Garrison
PERKINS COIE LLP
1620 26th Street, Sixth Floor
Santa Monica, CA 90401

5 By:

6 Ronald A. McIntire
7 Attorneys for Defendant,
8 THE BOEING COMPANY

9 **ORDER**

10 Upon the stipulation of the parties, pursuant to Federal Rule of Civil
11 Procedure 41(a), IT IS HEREBY ORDERED that the claims of Plaintiffs against
12 all Defendants in *Guh, et al. v. China Airlines, Ltd., and The Boeing Company*,
13 case number C 05-03290 JW are hereby dismissed with prejudice and without an
14 award of costs or fees in favor of any party.

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16 Dated: 10/27/06

17 By: James Ware
18 United States District Court Judge

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1 STATE OF CALIFORNIA }
2 } ss.
3 COUNTY OF LOS ANGELES)

4 I, the undersigned, declare:

5 I am employed in the County of Los Angeles, State of California. I am over
6 the age of 18 and not a party to the within action; my business address is 707
7 Wilshire Boulevard, Suite 5070, Los Angeles, California 90017. On October 27,
8 2006, I served the foregoing document(s) described as follows:

9 **STIPULATION FOR AND ORDER OF DISMISSAL WITH PREJUDICE**

10 on the interested parties in this action by placing true copies thereof
11 enclosed in sealed

12 envelopes addressed as stated on the attached service list, with postage thereon
fully prepaid in the United States Mail at Los Angeles, California:

13 X BY U.S. MAIL:

14 I am "readily familiar" with the firm's practice of collection and processing
15 correspondence for mailing. Under that practice, it would be deposited with
16 the U.S. Postal Service on that same day with postage thereon fully prepaid
17 at Los Angeles, California in the ordinary course of business. I am aware
that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of
deposit for mailing in affidavit.

18 _____ BY PERSONAL SERVICE:

19 I caused to be delivered such envelope by hand to the offices of the
20 addressee:

21 _____ BY FEDERAL EXPRESS OR OVERNIGHT COURIER

22 _____ BY ELECTRONIC MAIL:

23 I caused to be delivered via electronic mail at the addresses listed below:

24 _____ BY TELECOPIER

I served by facsimile at the numbers identified on the service list:

25 _____ (State) I declare under penalty of perjury under the laws of the State of
26 California that the above is true and correct.

27 _____ X (Federal) I declare that I am employed in the office of a member of the bar
of this Court at whose direction the service was made.

28 Executed on October 27, 2006, at Los Angeles, California.

Wendy Kurtz
(Type of Print Name)


(Signature)

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